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B. Hillard

IN THE UNITED STATES PATENTS AND TRADEMARK OFFICE

In re the Application of:

Joseph H. MATTHEWS III, et al.

Serial No.: 09/422,654

Filed: October 22, 1999

For: **USER FRIENDLY REMOTE
SYSTEM INTERFACE WITH MENU
HIGHLIGHTING**

Atty. Docket No.: 03797.84665

Group Art Unit: 2173

Examiner: B. Huynh

RESPONSE

Commissioner for Patents
Washington, D.C. 20231

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Technology Center 2100

Sir:

In response to the Office Action mailed March 28, 2001 and in conjunction with the Continued Prosecution Application (CPA) filed herewith pursuant to 37 C.F.R. § 1.53(d), reconsideration and allowance of the instant application is requested in view of the following remarks.

REMARKS

The office action of March 28, 2001 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested. Claims 40-48 remain pending in the present application.

Claims 40-48 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,678,331 (Volk et al.). Applicants respectfully traverse this rejection.

Since this amendment is being filed with a CPA application, the filing date of the instant application is now subsequent to November 29, 1999, and all the provisions of 35 U.S.C. § 103(c) are effective. According to 35 U.S.C. § 103(c), subject matter developed by another which qualifies as prior art under 35 U.S.C. § 102(e), (f), and/or (g) "shall not preclude